

**Notice of Allowability**

Application No.

09/579,787

Examiner

JAGDISH PATEL

Applicant(s)

CHEONG ET AL.

Art Unit

3624

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 3/8/04.
2. ☒ The allowed claim(s) is/are 1-10, 12-23, 25-36, 38-47, 49-55 and 62-66.
3. ☒ The drawings filed on 14 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                     | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

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#### **DETAILED ACTION**

1. This communication is in response to amendment filed 3/9/04.

#### ***Response to Amendment***

2. Claims 11, 24, 37, 48 and 58-61 have been canceled, claims 1, 15, 28, 41 and 49 have been amended per request.

3. claims 1-10, 12-23, 25-36, 38-47, 49-55 and 62-66 are pending and have been allowed.

#### ***Reasons for Allowance***

4. The following is an examiner's statement of reasons for allowance:

5. The claimed inventions pertain to a method and apparatus for surrogate control of electronic commerce transactions that include a surrogate system through which an individual without credit card is enabled to shop at online merchant sites.

6. The following prior art references have been deemed most relevant to the allowed claim(s):

a. Solokl et al. (US Pat. 6,173,269) (Solokl) teaches a method and apparatus for executing electronic transactions where the transactions are limited to those vendors that

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have been pre-approved. A "passport account" is established and funded from the purchaser's savings accounts, checking accounts or credit card accounts. Once funded, the passport account is available to enter into on-line transactions with merchants.

b. Boesch (US Pat. 6,295,522) (Boesch) teaches a system and method for the use of stored value cards when either a consumer or a merchant does not possess a stored value card. A consumer value acquirer receives funds from the bank account of a given consumer and has a pool of stored value cards that are not assigned to any specific consumer but which are used on behalf of consumers wishing to purchase

goods or services via stored value card transaction. The consumer value acquirer acts as a proxy for the consumer and uses one of the pool of stored value cards on behalf of the consumer in a transaction with a merchant that uses stored value cards. Once funds stored value card funds are transferred to the merchant during a transaction, the consumer account with the consumer value acquirer is debited the amount of the transaction.

Solokl and Boesch as discussed above as the Closest Prior art of record fails to teach or suggest a method (claims 1-10, 12-14, 62), a system (claims 15-23 and 25-27, 63) a device , a computer readable medium or an electromagnetic medium (claims 28-36, 38-47, 49-55, 64-66), for surrogate control of electronic commerce transactions which comprises the novel features outlined as follows:

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Claims 1-10, 12-14, 28-36, 38-47, 49-55, 62, and 64-66 : accessing at least one electronic commerce system (i.e. a merchant web site which facilitates a purchase transaction) through a surrogate electronic system where at least one credit card account is selected in the surrogate electronic system, funds due for the purchase transaction are transferred from a funded surrogated account to the credit card account and transactions for the credit card account are reconciled by maintaining a surrogate system ledger including at least one balance for the surrogate account and a corresponding purchase transaction record.

Claim 15-23, 25-27, and 63: accessing at least one electronic commerce system (i.e. a merchant web site which facilitates a purchase transaction) through a proxy server where payment for a purchase transaction is funded using a surrogate funding source loaded with funds from a user account, wherein the proxy server reconciles transactions for the user account, the reconciling includes maintaining a surrogate system ledger including at least one balance for the user account and a corresponding purchase transaction record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Conclusion***

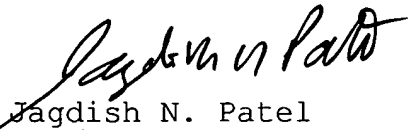
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Loeb (US Pat. 6,360,209) teaches a credit card billing system which permits multiple items purchased as part of a single transaction or order to be separately billed on a credit card in accordance with a payment schedule designed to minimize inquiries regarding the overall order by the customer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jagdish Patel whose telephone number is (703) 308-7837. The examiner can normally be reached Monday-Thursday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1038. The fax number for Formal or Official faxes to Technology Center 3600 is (703) 305-7687. **Draft faxes may be submitted directly to the examiner at (703) 746-5563.**

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113 or 308-1114. Address for hand delivery is 2451 Crystal Drive, Crystal Park 5, 7<sup>th</sup> Floor, Alexandria VA 22202.



Jagdish N. Patel

(Primary Examiner, AU 3624)

3/24/04